

SENATE BILL No. 421

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Net metering. Requires the utility regulatory commission (IURC) to adopt emergency rules amending the IURC's rules concerning net metering to allow the interconnection of net metering facilities that have a nameplate capacity of 100 kilowatts or less. Voids existing rules to the extent they do not comply with the requirements for the amended rules. Requires the IURC to report to the regulatory flexibility committee on the IURC's progress in adopting the amended rules.

Effective: Upon passage.

Hershman

January 12, 2009, read first time and referred to Committee on Utilities & Technology.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 421

A BILL FOR AN ACT concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
2 **SECTION, "commission" refers to the Indiana utility regulatory**
3 **commission created by IC 8-1-1-2.**

4 (b) **Subject to subsection (f) and not later than July 1, 2009, the**
5 **commission shall adopt rules to amend the commission's rules**
6 **concerning net metering, as codified at 170 IAC 4-4.2. The**
7 **commission shall adopt the rules required by this subsection in the**
8 **same manner as emergency rules are adopted under**
9 **IC 4-22-2-37.1.**

10 (c) **The rules adopted by the commission under subsection (b)**
11 **must allow a net metering customer to interconnect a net metering**
12 **facility with a nameplate capacity of one hundred (100) kilowatts**
13 **or less to a distribution facility of an electric utility.**

14 (d) **Rules adopted under this SECTION expire on the earlier of:**

15 (1) **the date the rules are adopted by the commission as final**
16 **rules under IC 4-22-2-24 through IC 4-22-2-36; or**

17 (2) **January 1, 2010.**

18 (e) **Not later than June 1, 2009, the commission shall evaluate**



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1 the rules codified at 170 IAC 4-4.2 for compliance with subsection
2 (c). To the extent that any rules codified at 170 IAC 4-4.2 do not
3 meet the requirements set forth in subsection (c), the rules are void.

4 (f) Not later than June 15, 2009, the commission shall notify the
5 publisher of the Indiana Administrative Code and Indiana Register
6 of any rules that are void under this subsection. The publisher shall
7 remove the rules that are void under this subsection from the
8 Indiana Administrative Code.

9 (g) Not later than November 1, 2009, the commission shall
10 report to the regulatory flexibility committee established by
11 IC 8-1-2.6-4 on the commission's progress in finally adopting as
12 final rules, under IC 4-22-2-24 through IC 4-22-2-36, the
13 emergency rules initially adopted by the commission under
14 subsection (b).

15 (h) This SECTION expires January 1, 2011.

16 SECTION 2. An emergency is declared for this act.

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